PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, SEPTEMBER 24 19 85

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING September 24 A.D., 19 85, IN Regular SESSION. PRESIDENT Mark E. GiaQuinta IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART ,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT , STIER P, TALARICO P,

ABSENT:

COUNCILMAN: , , ,

THE INVOCATION WAS GIVEN BY

THE MINUTES OF THE LAST REGULAR September 10, 19 85,

, 19 ,

SPECIAL , 19 ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

August 29, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, August 29, 1985, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of August 27, 1985.

(Bill No. A-85-08-25)
APPROPRIATION ORDINANCE NO. A-04-85

AN ORDINANCE appropriating funds from the Park Grant Fund to certain accounts within the 1985 budget of the Park Department

(Bill No. S-85-08-02)
SPECIAL ORDINANCE NO. S-151-85

AN ORDINANCE approving Change Order No. 1, Res. #6012-85, Clinton Street Parking Facility Repairs, with Brencal Contractors, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-85-08-03)
SPECIAL ORDINANCE NO. S-152-85

AN ORDINANCE approving Civil City Purchase Order #A-40926 with Tom Hoot Insulation, Inc. for the Housing and Neighborhood Development Services, Inc., Weatherization Program

(Bill No. S-85-08-04)
SPECIAL ORDINANCE NO. S-153-85

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT REVENUE BONDS (EDY'S GRAND ICE CREAM PROJECT) SERIES 1985" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-85-08-05)
SPECIAL ORDINANCE NO. S-154-85

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS (P.H.D., INC. PROJECT) SERIES 1985" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. R-85-08-06)
RESOLUTION NO. R-98-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $6,200,000.00 ECONOMIC

REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT TOKHEIM CORPORATION TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-08-07)
RESOLUTION NO. R-99-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $2,000,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT RICHARD J. FREELAND TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-08-09)
DECLARATORY RESOLUTION NO. R-100-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-08-30)
DECLARATORY RESOLUTION NO. R-101-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. G-85-08-11)
GENERAL ORDINANCE NO. G-21-85

AN ORDINANCE amending Ordinance Number G-10-84 dealing with Historic Preservation Districts

(Bill No. R-85-08-13)
RESOLUTION NO. R-102-85

A RESOLUTION of the Common Council of the City of Fort Wayne's Housing Authority to continue to participate in the Rental Rehabilitation Program and authorizing the application Program and authorizing the application for additional Housing vouchers

(Bill No. S-85-08-15)
SPECIAL ORDINANCE NO. S-155-85

AN ORDINANCE approving Contract for Res. #5024-85, Michigan Avenue, NSA, Phase IV, by the City of Fort Wayne by and through its Board of Public Works and Safety and Rieth-Riley Construction Co., Inc.

(Bill No. S-85-08-16)
SPECIAL ORDINANCE NO. S-156-85

AN ORDINANCE approving Contract for Res. #6025-85, C.B.D. Re-surfacing, by the City of Fort Wayne by and through its Board of Public Works and Safety and Brooks Construction Co., Inc.,

(Bill No. S-85-08-17)
SPECIAL ORDINANCE NO. S-157-85

AN ORDINANCE approving Contract for Res. #6026-85, East Central Phase XI, by the City of Fort Wayne by and through its Board of Public Works and Safety and Hipskind Concrete

(Bill No. S-85-08-18)
SPECIAL ORDINANCE NO. S-158-85

AN ORDINANCE approving Contract for Res. #6019-85, Beacon Street Improvement, by the City of Fort Wayne by and through its Board of Public Works and Safety and Dailey Asphalt Products Co., Inc.,

(Bill No. S-85-08-19)
SPECIAL ORDINANCE NO. S-159-85

AN ORDINANCE approving Contract for Res. #6017-85, Lynn Avenue, Phase I-A, by the City of Fort Wayne by and through its Board of Public Works and Safety and Rieth-Riley Construction Co., Inc.

(Bill No. S-85-08-20)
SPECIAL ORDINANCE NO. S-160-85

AN ORDINANCE approving Contract for Res. #6018-85, Lynn Avenue, Phase I-B, by the City of Fort Wayne by and through its Board of Public Works and Safety and Rieth-Riley Construction Co., Inc.

(Bill No. S-85-08-22)
SPECIAL ORDINANCE NO. S-161-85

AN ORDINANCE approving City Utilities Purchase Order Number A-44942 by the City of Fort Wayne by and through its Department of Purchasing and Water Products for the Water Maintenance and Service Department

(Bill No. R-85-08-24)
(as amended)
RESOLUTION NO. R-103-85

A RESOLUTION urging the Indiana Legislature to amend the criminal penalties for crimes involving use of weapons

Respectfully yours,

Win Moses, Jr.
Mayor

September 11, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, September 11, 1985, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of September 10,1985.

(Bill No. S-85-08-27)
SPECIAL ORDINANCE NO. S-162-85

AN ORDINANCE approving Civil City Purchase Orders #A-41008, A-41009 and A-41010 with Richard Ness Excavating, L.I. Griffin, and Martin, Inc., through Community Development and Planning for the Safe Housing Enforcement Division

(Bill No. R-85-08-28)
RESOLUTION NO. R-104-85

A RESOLUTION authorizing the City of Fort Wayne (City Utilities) to acquire real estate

(Bill No. R-85-08-29)
RESOLUTION NO. R-105-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $550,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT ALL-PHASE REAL ESTATE COMPANY TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-08-31)
DECLARATORY RESOLUTION NO. R-106-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. Z-85-08-23)
ZONING MAP ORDINANCE NO. Z-10-85

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-2

(Bill No. S-85-08-42)
SPECIAL ORDINANCE NO. S-163-85

AN ORDINANCE approving a Contract for Res. #6031-85 - Fairfield NSA Phase I, with Hipskind Concrete, in connection with the Board of Public Works and Safety

(Bill No. S-8-5-08-21)
SPECIAL ORDINANCE NO. S-164-85

AN ORDINANCE approving City Utilities Purchase Order Number A-44925 by the City of Fort Wayne by and through its Department of Purchasing and Compusystems, Inc., for office automation to be integrated into operating departments as requests are received

(Bill No. S-85-08-44)
SPECIAL ORDINANCE NO. S-166-85

AN ORDINANCE ratifying and approving the short term borrowing of Four Million Dollars ($4,000,000) by the City's Water Pollution Control and Water Utilities

(Bill No. S-85-08-45)
SPECIAL ORDINANCE NO. S-167-85

AN ORDINANCE approving Change Order No. 1, Res. #6014-85 - Hoagland/Masterson Phase IV, with Gaines Construction Company, in connection with the Board of Public Works and Safety

(Bill No. S-85-08-43)
SPECIAL ORDINANCE NO. S-165-85

AN ORDINANCE approving Change Order No. 1, Res. #6021-85 - Maplecrest Road Extension, with Earth Construction, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-85-08-46)
SPECIAL ORDINANCE NO. S-168-85

AN ORDINANCE approving City Utilities Purchase Order No. A-45013 by the City of Fort Wayne by and through its Department of Purchasing and Friden Mailing Equipment Co.

(Bill No. S-85-08-47)
SPECIAL ORDINANCE NO. S-169-85

AN ORDINANCE approving City Utilities Purchase Order #A-45012 by the City of Fort Wayne by and through its Department of Purchasing and Friden Mailing Equipment Co., for the Office Services Department

(Bill No. S-85-08-48)
SPECIAL ORDINANCE NO. S-170-85

AN ORDINANCE approving Change Order No. 2, Southwest Interceptor S-1, Phase VII - Res. #407-85, with John Dehner, Inc., in connection with the Board of Public Works and Safety

Respectfully yours,

Win Moses, Jr.
Mayor

August 27, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, August 27, 1985, I have approved the following ordinance passed by the Common Council at its special meeting of August 26, 1985

(Bill No. A-85-08-01)
(as amended)
APPROPRIATION ORDINANCE NO. A-03-85

AN ORDINANCE appropriating monies for the purpose of defraying the expenses of the several departments of the City Government of the City of Fort Wayne, Indiana for the fiscal year beginning January 1, 1986, and ending December 31, 1986, including all outstanding claims and obligations and fixing a time when the same shall take effect

Respectfully yours,

Win Moses, Jr.
Mayor

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 150/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 150/85/E)

I hereby certify that I did this 17th day of September, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 150/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D. Conrad

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 150/85/E

(Adopted September 17, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 13, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 17, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1604 Andrew Street -- east side -- from 30' north of Spring Street to 20' north thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 151/85/E
152/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 151/85/E 152/85/E)

I hereby certify that I did this 19th day of September, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 151/85/E 152/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

L. D. Conrad

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 151/85/E

(Adopted September 19, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (TEMPORARY) (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 18, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 19, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY) (EMERGENCY)

Fletcher Avenue -- east side -- from Wayne Trace to Luther Street
Luther Street -- north side -- from Fletcher Avenue to Anthony Boulevard
Simons Street -- north side -- from Anthony Boulevard to Winter Street

REGULATORY RESOLUTION NO. 152/85/E

(Adopted September 19, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 114/85/E: NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 18, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 19, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Upper Huntington Road -- both sides -- from Covington Road to Wilkie Drive

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 153/85/E
154/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 153/85/E
154/85/E)

I hereby certify that I did this 23rd day of September, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 153/85/E
154/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J D. Consalvos

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 153/85/E

(Adopted September 23, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 116/85/E:

15 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY) & DELETE:

2 HOUR PARKING 8 A.M. to 6 P.M. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 23, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

15 MINUTE PARKING 8 A.M. to 6 P.M. (EMERGENCY)

City-County Parking Lot -- from 405' north of Main Street to 20' north thereof and from 230' east of Calhoun Street to 120 ' east thereof

DELETE: 2 HOUR PARKING 8 A.M. to 6 P.M. (EMERGENCY)

City-County Parking Lot -- from 405' north of Main Street to 20'' north thereof and from 230' east of Calhoun Street to 120' east thereof

REGULATORY RESOLUTION NO. 154/85/E

(Adopted September 23, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 117/85/E: THRU STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective September 23, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET (EMERGENCY)

Reckeweg Road -- from Illinois Road to West Jefferson Boulevard

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 24th day of September, 19 85, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

_____

SANDRA E. KENNEDY, CITY CLERK